

REMARKS

Responding to the Examiner's Office Action, applicants have made a number of grammatical amendments which do not alter the scope of the amended claims. A number of additional claims, also allowable, have been added by this amendment. Finally, as explained below, the rejected claims 1-3, 9-11, 14, 15, 23-26 and 28 are now all allowable. Allowance of the application is respectfully requested.

An ultrasonic insert which embodies the present invention is useable with a handpiece. The insert slidably engages the handpiece with a fluid seal. Unlike the prior art, illustrated in Figs. 1A, 1B of the application, inserts which embody the invention can be rotated in the handpiece with only a force applied to a portion of the insert, illustrated in Fig. 2B without the operator having to use two hands for the rotation process, illustrated in Fig. 1B as was known in the prior art.

The above beneficial functionality is provided in disclosed embodiments with a two part bearing. The bearing is carried by the insert. One part of the bearing is locked to the insert with a torque lock which has a plurality of radially moveable prongs. The torque lock couples an applied torque to the insert enabling it to rotate relative to the other part of the bearing. When the insert is installed in a handpiece, the result is that the tip of the insert is readily rotatable relative to the handpiece with a force only applied to a portion of the insert.

Feine relied on by the Examiner in rejecting claims 1-3, 9, 11 and 14 as anticipated is quite unlike the claimed structure and does not anticipate same, as discussed below. Additionally, the deficiencies in Feine, alone or combined with Falone et al. do not make obvious the invention of claims 10 and 15.

Feine is an ultrasonic insert of a type illustrated in Figs. 1A, 1B of the present application. Feine's insert cannot be rotated relative to handpiece H as claimed because Feine discloses a unitary insert which is unlike the claimed structure. In Feine's insert the hand grip 10 has flats 38, carried on arms 40 which slidably engage respective flats 32 of Feine's velocity

transducer 16. The color coded cap 12 slides over the arms 40 with a friction fit locking the arms 40 to tabs 34 which engage slots 42 thereby precluding any rotary motion between the hand grip 10 and the remainder of Feine's insert 1. As Feine makes clear, the remainder of the insert which is coupled to velocity transducer 16 and which carries transducer stack 14, exhibits no relative motion. The seals 20 which are carried on velocity transducer 16 slidably engage the handpiece H when Feine's insert is slid thereinto. Hence, unlike the claimed structure, rotating any portion of Feine's insert inevitably results in the entirety of Feine's insert rotating the same amount.

As described above, any attempt to rotate Feine's handle 10 results in the entire insert 1 rotating along with that handle. If the insert 1 is inserted in the handpiece H rotating hand grip 10 because of a frictional coupling by seals 20, that acts as a fluid seal between unit 1 and handle H, results in handpiece H rotating, except, where the operator performs a two-handed operation as shown in Fig. 1B of the application as was known in the prior art. This is quite unlike the claimed structure and cannot anticipate same for all of the above reasons.

The above described deficiencies in Feine are not addressed or compensated by Falone et al. Hence, neither Feine nor Feine in view of Falone et al. can make obvious either claim 10 or claim 15.

For all of the above reasons, the pending claims are allowable. Allowance of the application is respectfully requested.

Respectfully submitted,

WELSH & KATZ, LTD.

By



Paul M. Vargo, Reg. No. 29,116

120 South Riverside Plaza
22nd Floor
Chicago, Illinois 60606
Phone: 312/655-1500
Fax: 312/655-1501